

Amendments to the Drawings

The attached sheets of drawings include changes to FIG. 1, FIG. 2, FIG. 6 and FIG. 10.
These sheets replace the sheets of drawings containing these figures and filed 19 February 2004.

Attachment: Replacement Sheets and Annotated Sheets showing changes

Remarks

Applicant has amended claims 1, 2, 14, 15, 24, 25, 28-30, 35, 36, 47, 48, 53, 58 and 59 solely to expedite prosecution and without acquiescing to the Examiner's arguments. Applicant reserves the right to pursue these claims in further prosecution. Figures 1-2, 6 and 10 have been amended.

Objection to Drawings

The drawings have been amended to include reference numbers 82 and 84. Reference numbers 81 and 82 has been added to Figures 6 and 10. Reference numbers 83 and 84 have been added to figure 10. Figures 1 and 2 have been amended to include the legend Prior Art. Replacement Figures 1-2, 6 and 10, and annotated drawing sheets, are attached hereto.

Rejection under 35 U.S.C. § 102

The Examiner rejected claims 1-7, 9, 10, 14, 15, 18, 23-30, 32-38, 40, 42, 46, 48, 53-56, 58, 59, 61 and 63 - 65 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,660,115 (*Shimon*). These claims, however, are not anticipated by the *Shimon* patent. However, in order to expedite prosecution and without acquiescing to the Examiner's rejections, the Applicant has amended claims 1, 2, 14, 15, 24, 25, 28-30, 35, 36, 47, 48, 53, 58 and 59. These claims are not anticipated by *Shimon*. In order to anticipate a claim, a reference must teach each and every element of that claim.

Shimon does not teach each and every element of claim 1. *Shimon* does not teach at least the following feature of claim 1, "one or more extendable support legs that extend in a downward direction from within said support structure; and a load beam." As pointed out by the Examiner, *Shimon* does show spring cells (see 126 in Figs. 6-8 & 26 in Fig. 2) that connect an axel and a frame. These spring cells dampen vibrations from engagement of the rail wheels. These spring cells, however, are different from extendable support legs described in claim 1. Spring cells are not extendable and do not provide support. Also, spring cells do not extend "in a downward direction from within [a] support structure." Rather, as noted in *Shimon*, a spring cell is part of the suspension system and is not an extendable support leg. *Shimon* does not teach each and every element of claim and therefore does not anticipate claim 1.

Because independent claim 1 is not anticipated by *Shimon*, dependent claims 2-7, 9, 10, 14, 15, 18, 23 and 65 are also not anticipated.

Shimon also does not teach each and every element of independent claim 24. Claim 24 includes the following: “providing an apparatus for receiving one or more extendable support legs, said apparatus having at least one fit sleeve; and extending said one or more extendable support legs to rest upon said apparatus.” As discussed above, *Shimon* does not teach “extendable support legs”. Moreover, the spring cells in *Shimon* do not extend and rest upon an apparatus, rather they are coupled with the axel and a frame to provide a part of the suspension. They do not extend and rest on an apparatus.

In regard to claim 25, *Shimon* also does not teach and every element of this claim. Claim 25 includes “providing a load beam having one or more fit sleeves” and “sliding one or more fit sleeves under one or more extendable support legs; and connecting said one or more fit sleeves to said one or more extendable support legs.” As discussed in regard to claim 1, *Shimon* does not include extendable support legs. *Shimon* also does not teach sliding a fit sleeve under one or more extendable support legs. The Examiner claims that the bottom of the spring cells in Fig. 9 teaches fit sleeves. However, as discussed in the claim, the load beam has one or more fit sleeves. The device shown by the Examiner in Fig. 9 is attached to the spring cell and not the load beam. Therefore, *Shimon* also does not teach a fit sleeve on a load beam.

Because independent claim 25 is not anticipated by *Shimon*, dependent claims 26-30 and 32-34 are also not anticipated.

Shimon likewise does not teach each and every element of claims 35 & 36. Each of these claims include a load beam with a fit sleeve upon which an extendable support leg that extends and rests on the fit sleeve. As previously discussed, *Shimon* does not teach an extendable support leg or a load beam with a fit sleeve. Furthermore, as discussed above in regard to claim 25, *Shimon* does not teach “one or more fit sleeves that are attached to a load beam.” Additionally, *Shimon* does not disclose a locking mechanism connected to one or more fit sleeves adapted to lock extendable support legs in the fit sleeves as required in claim 36. Therefore, *Shimon* does not anticipate claims 35 & 36.

Because independent claim 36 is not anticipated by *Shimon*, dependent claims 37, 38, 40, 42, 46, 48 and 65 are also not anticipated.

Shimon also does not teach each and every element of independent claim 53. As discussed above, *Shimon* does not teach extendable support legs. Furthermore, *Shimon* does not teach extendable support legs adapted to connect to wheels that contact the ground. Thus, *Shimon* does not teach each and every element of claim 53.

Because independent claim 53 is not anticipated by *Shimon*, dependent claims 54-56, 58, 59, 61 and 63 - 65 are also not anticipated.

Applicant respectfully requests withdrawal of the anticipation rejection for claims 1-7, 9, 10, 14, 15, 18, 23-30, 32-38, 40-42, 46, 48, 53-56, 58, 59, 61 and 63, and respectfully requests allowance of these claims.

Rejection under 35 U.S.C. § 103

The Examiner rejected claims 8, 11, 12, 16, 19, 20, 31, 39, 41, 44, 45, 49, 57, 60 and 62 under 35 U.S.C. § 103(a) as being unpatentable over *Shimon*. Applicants traverse. In order to make an obviousness rejection, the cited reference must teach or suggest each and every element of the claims. As discussed above, *Shimon* does not teach each and every element of these claims, such as, extendable support legs and a load beam with a fit sleeve. Indeed, the Examiner states that *Shimon* fails to teach the elements of these claims. Moreover, the Examiner fails to point to a single prior art reference that teaches or suggests any of these elements. The Examiner, therefore, has failed to set forth a proper *prima facie* obviousness rejection, therefore Applicant respectfully requests withdrawal of these obviousness rejections.

The Examiner rejected claims 17, 21, 22 and 50-52 under 35 U.S.C. 103(a) as being unpatentable over *Shimon* in view of the arguments stated above with regard to claims 1-16, 18-20, 23-49, and 54-65 and further in view of *Seifert* (U.S. Patent No. 3,434,432). As discussed above, *Shimon* does not teach each and every element of these claims, such as, extendable support legs and a load beam with a fit sleeve, and *Seifert* does not cure this defect. Applicant, therefore, respectfully requests withdrawal of these obviousness rejections.

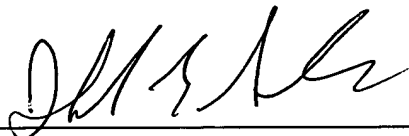
Conclusion

Applicant has responded to the drawing objections. Applicant amended claims 1, 2, 14, 15, 24, 25, 28-30, 35, 36, 47,48, 53, 58 and 59 solely to expedite prosecution and without acquiescence to the Examiner's rejections. Applicant also showed that the rejected to claims are not anticipated or rendered obvious by the cited art. Applicant submits that the present listing of claims are in condition for allowance and respectfully request allowance.

If the Examiner has any questions or believes further discussion will aid examination and advance prosecution of the application, a telephone call to the undersigned is invited. If there are any additional fees due in connection with the filing of this amendment, please charge the fees to the undersigned's deposit account, No. 50-3483. If any extensions or fees are not accounted for, such extension is requested and the associated fee should be charged to Deposit Account No. 50-3483.

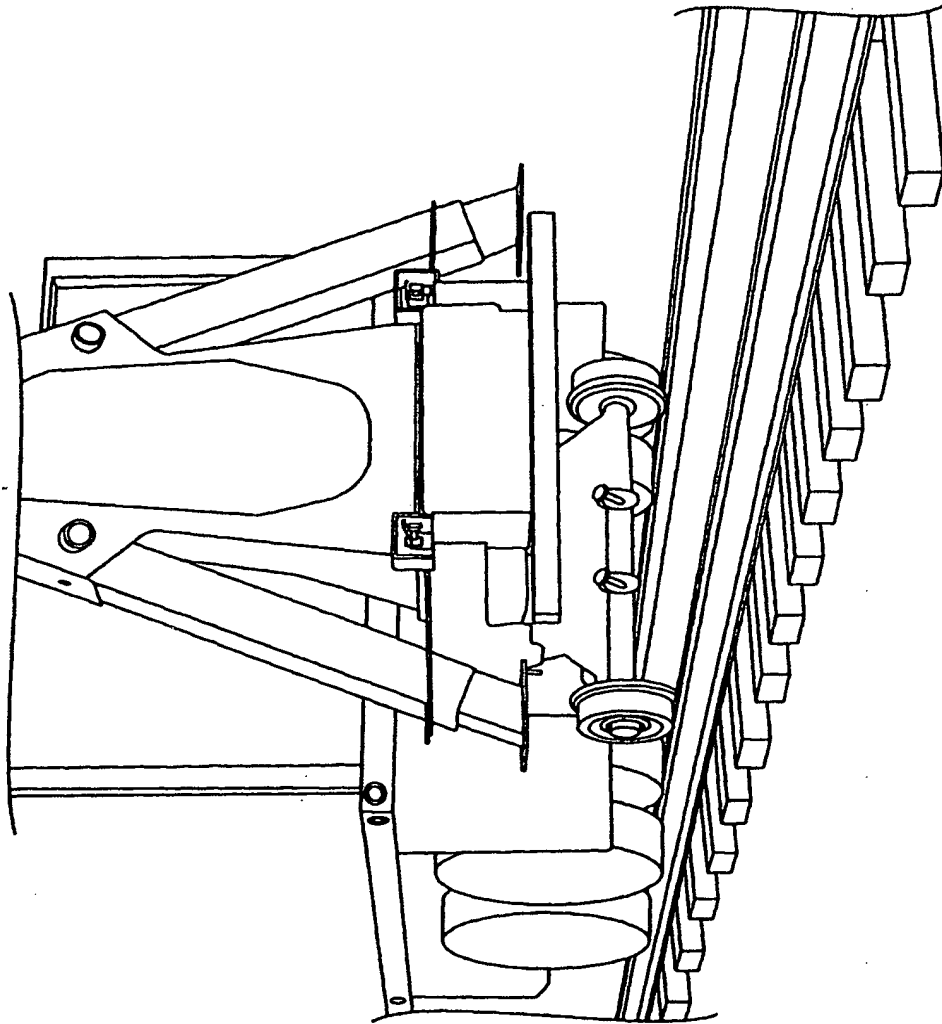
Respectfully submitted,

16 June 2006

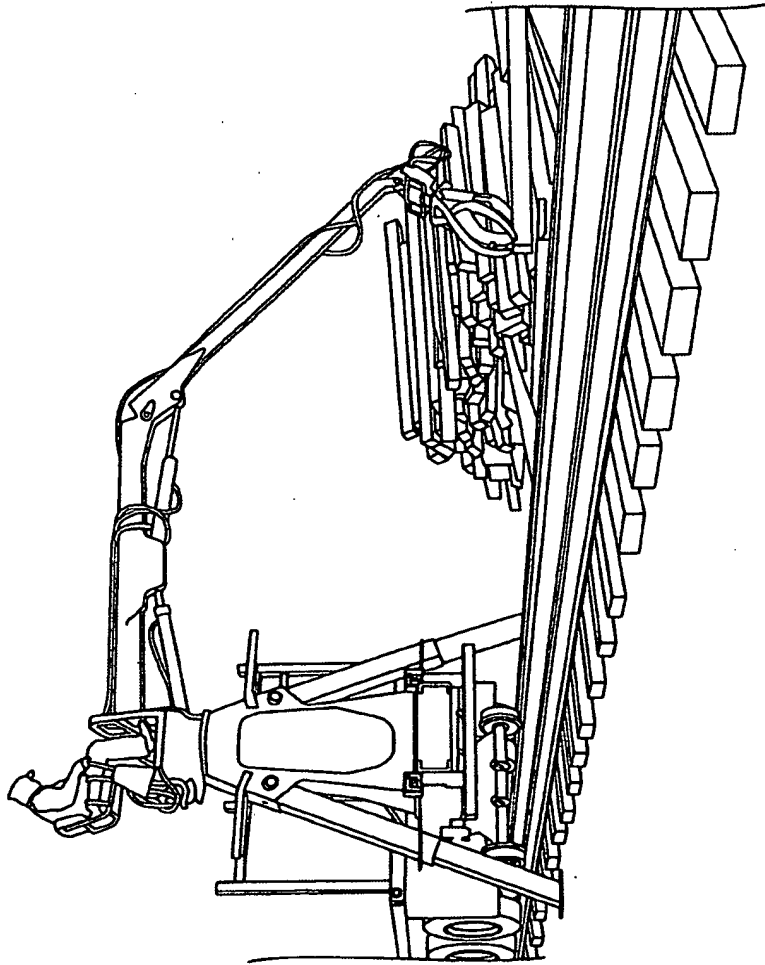


Jeff E. Schwartz
Reg. No. 39,019

Schwartz Sung & Webster
300 Massachusetts Avenue, NW, Suite 1101
Washington, DC 20006
Telephone: 202.289.6291
Facsimile: 866.435.138



Added Legend → PRIOR ART FIG. 1



Added Legend → **PRIOR ART** **FIG. 2**

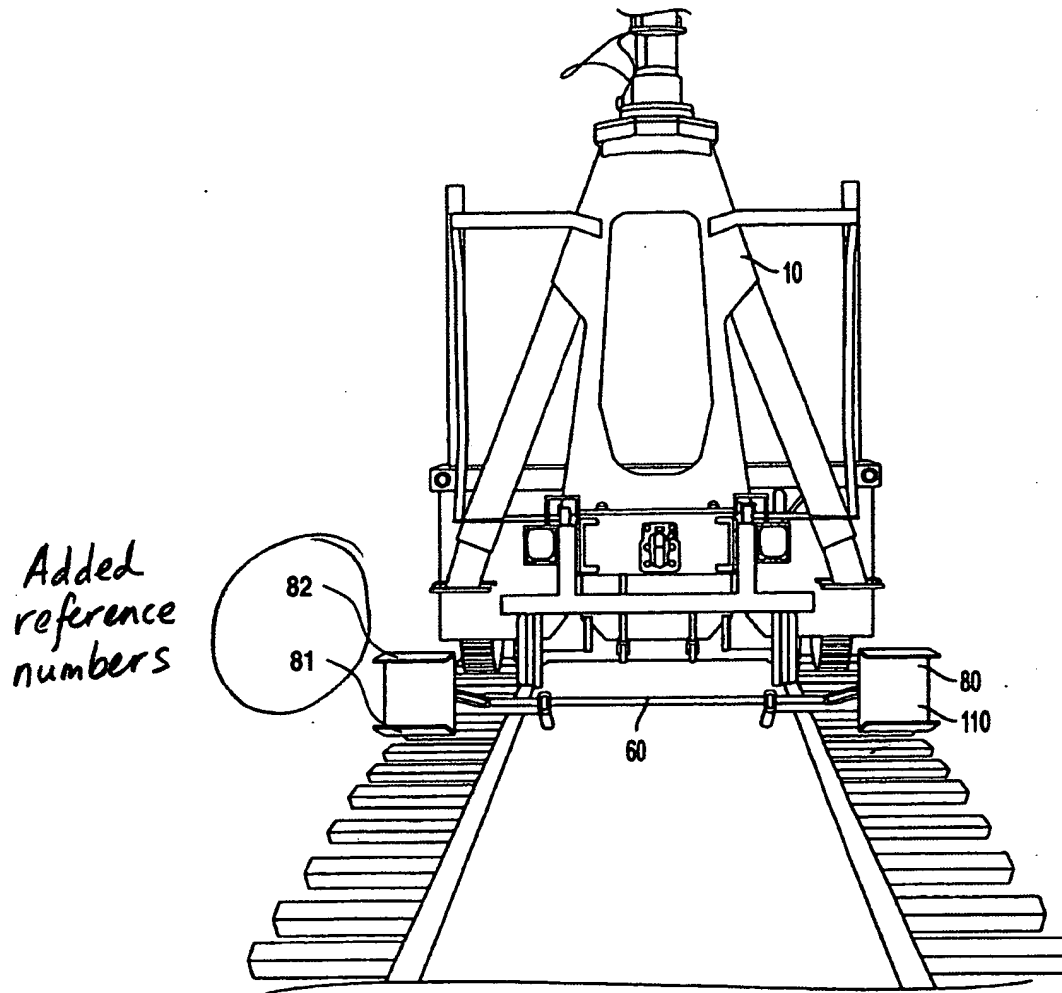
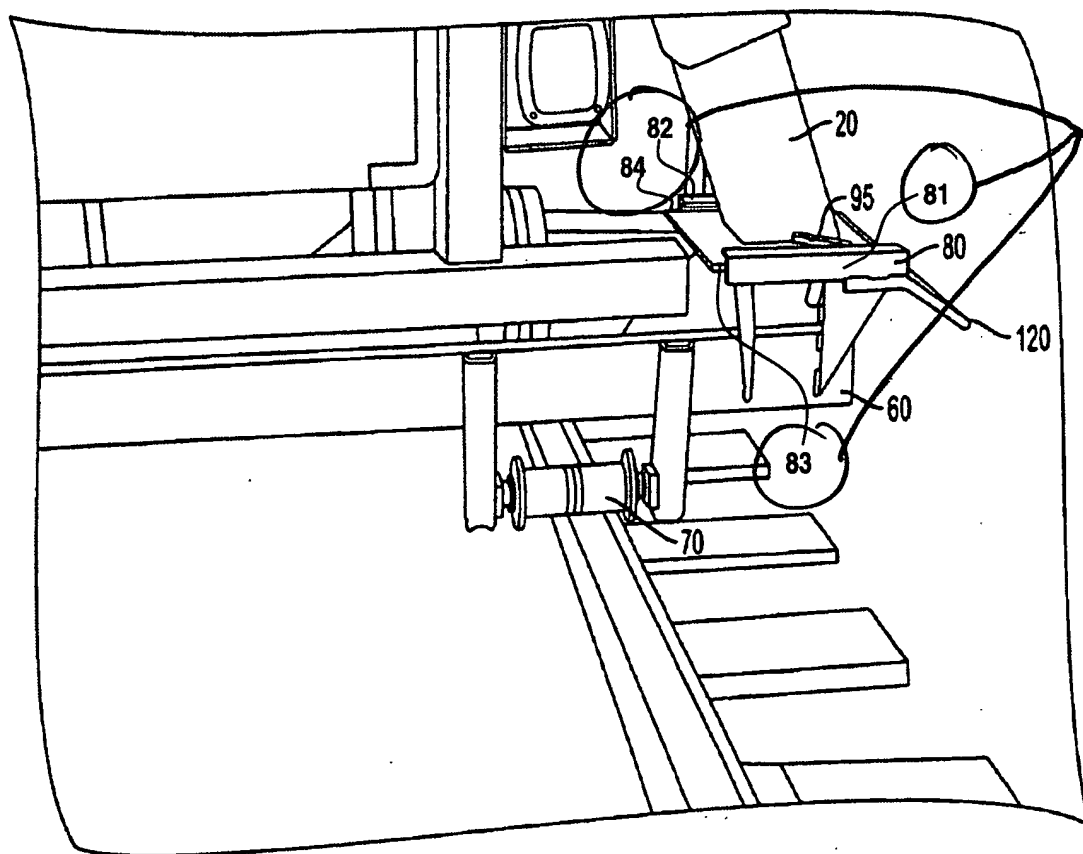


FIG. 6



Added
reference
numbers

FIG. 10